

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

KRISTINA RAPUANO, VASSIKI)	
CHAUHAN, SASHA BRIETZKE,)	
ANNEMARIE BROWN, ANDREA)	
COURTNEY, MARISSA EVANS, JANE)	
DOE, JANE DOE 2, and JANE DOE 3,)	
)	
Plaintiffs,)	Civil Action No. 1:18-cv-01070-LM
)	
v.)	
)	
TRUSTEES OF DARTMOUTH)	
COLLEGE,)	
)	
Defendant.)	

**DEFENDANT TRUSTEES OF DARTMOUTH COLLEGE'S
ASSENTED-TO MOTION TO EXTEND TIME TO ANSWER OR
OTHERWISE RESPOND TO PLAINTIFFS' FIRST AMENDED COMPLAINT**

Defendant Trustees of Dartmouth College ("Dartmouth" or the "College") respectfully moves the Court for an extension of time to answer or otherwise respond to Plaintiffs' First Amended Complaint until and including the date of May 29, 2019. In support of this Motion, Dartmouth states as follows:

1. On November 15, 2018, Plaintiffs commenced this Action by filing a Class Action Complaint and Demand for Jury Trial (the "Complaint," ECF 1) in the District Court for the District of New Hampshire. On January 15, 2019, Dartmouth timely filed its Answer and Affirmative Defenses to the Complaint. Pursuant to the parties' agreement, the Court set a May 1, 2019 deadline for amending the pleadings.

2. On May 1, 2019, Plaintiffs filed their First Amended Class Action Complaint and Demand for Jury Trial (the "First Amended Complaint," ECF 24), unaccompanied by a FRCP 15(a) motion. In the First Amended Complaint, Plaintiffs purport to join two additional

plaintiffs, Jane Doe 2 and Jane Doe 3, and incorporate 52 additional paragraphs, 50 of which contain new substantive allegations against Dartmouth. *See, e.g.*, First Amended Complaint, at ¶¶ 32, 34, 43, 47, 62, 75-78; 282. Plaintiffs also incorporate novel substantive details into at least two paragraphs included in the original Complaint. *See id.* at ¶¶ 275, 281. Dartmouth's response to the First Amended Complaint is due May 15, 2019.

3. Dartmouth and its counsel require additional time to evaluate Plaintiffs' new substantive allegations, as well as the procedure by which the First Amended Complaint was filed, before responding.

4. On May 3, 2019, counsel for Dartmouth and for Plaintiffs conferred via e-mail regarding the substance of this Motion. Plaintiffs assented to Dartmouth's request for an extension of fourteen days to respond to the First Amended Complaint.

5. The granting of this Motion would not result in the continuance of any hearing, conference, or trial, nor alter any other deadline set forth in the Discovery Plan.

6. Dartmouth respectfully submits that a Memorandum of Law would not assist the Court in its decision concerning this Motion, because the issues presented are uncontested and do not involve complex or novel issues of law.

WHEREFORE, Dartmouth respectfully requests that the Court extend the deadline for Dartmouth to answer or otherwise respond to Plaintiffs' First Amended Complaint until and including May 29, 2019.

Respectfully Submitted,

TRUSTEES OF DARTMOUTH COLLEGE

By their attorneys,

/s/ Joan A. Lukey
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Date: May 6, 2019

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2019, I caused a true and correct copy of the foregoing Motion, filed through the ECF system, to be served electronically on all counsel of record identified on the Notice of Electronic Filing (and below) as registered participants, and that copies will be sent via first class mail to those counsel who are not registered participants on the ECF system.

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